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7 UTSTARCOM, INC., HONG LIANG LU,
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8 and FRANCIS BARTON

9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11

12 PETER RUDOLPH, individually and on behalf)
13 of all others similarly situated,)

14 Plaintiff,)

15 v.)

16 UTSTARCOM, HONG LIANG LU, YING WU,)
17 MICHAEL SOPHIE, THOMAS TOY, and)
FRANCIS BARTON,)

18 Defendants.)
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CASE NO.: 3:07-CV-04578-SI

**JOINT STIPULATION AND
[PROPOSED] ORDER REGARDING
CASE MANAGEMENT
CONFERENCE AND BRIEFING
SCHEDULE FOR DEFENDANTS'
MOTION TO DISMISS**

Date: August 1, 2008
Time: 2:30 p.m.

Before: Hon. Susan Illston

1 WHEREAS, the parties previously stipulated, and the Court previously ordered, that: a)
2 Defendants had until June 6, 2008 to answer or otherwise respond to the Second Amended
3 Complaint; b) Plaintiff has until July 3, 2008 to file an opposition to Defendants' motion to
4 dismiss; c) Defendants have until July 18, 2008 to file a reply to Plaintiff's opposition; and d) the
5 hearing on Defendant's motion to dismiss would be set for August 1, 2008;

6 WHEREAS, on June 6, 2008, Defendants filed their motion to dismiss;

7 WHEREAS, on June 10, 2008, the Deputy Clerk of the Court notified the parties that the
8 hearing on Defendants' motion to dismiss had been continued from August 1, 2008 to August
9 22, 2008;

10 WHEREAS, a Case Management Conference in this matter is currently scheduled for
11 August 1, 2008;

12 WHEREAS, for the convenience of the Court and all parties, the parties wish to
13 reschedule the date of the upcoming Case Management Conference to coincide with the new
14 hearing date selected by the Court for the pending motion to dismiss;

15 WHEREAS, the parties also wish to conform the briefing schedule for the pending
16 motion to dismiss with the new hearing date;

17 WHEREAS, counsel for Plaintiff and Defendants have met and conferred and have
18 agreed to the briefing schedule set forth below for Defendants' motion to dismiss;

19 WHEREAS, the parties therefore stipulate that: a) Plaintiff shall oppose Defendants'
20 motion to dismiss by July 18, 2008; b) Defendants shall file their reply to any opposition to their
21 motion to dismiss by August 8, 2008; c) the Case Management Conference for this matter shall
22 be continued to August 22, 2008, to coincide with the hearing on the motion to dismiss:

23 NOW THEREFORE, pursuant to the parties' stipulation and subject to the Court's
24 approval:

25 (a) Plaintiff shall oppose Defendants' motion to dismiss by July 18, 2008;

26 (b) Defendants shall file their reply to any opposition to their motion to dismiss by
27 August 8, 2008; and
28

(c) The Case Management Conference for this matter shall be continued to August 22, 2008, to coincide with the hearing on the motion to dismiss:

IT IS SO STIPULATED.

Dated: June 10, 2008

WILSON SONSINI GOODRICH & ROSATI
Professional Corporation

By: /s/ BAHRAM SEYEDIN-NOOR
BAHRAM SEYEDIN-NOOR

Attorneys for Defendants

Dated: June 10, 2008

FINKELSTEIN, THOMPSON LLP

By: /s/ DONALD J. ENRIGHT
DONALD J. ENRIGHT

Attorneys for Plaintiff

ORDER

PURSUANT TO THIS STIPULATION, AND GOOD CAUSE APPEARING, IT IS SO ORDERED.

Dated: _____

The Honorable Susan Illston
United States District Court Judge

1 I, Bryan Ketrosier, am the ECF User whose identification and password are being used to
2 file the Joint Stipulation and [Proposed] Order Regarding Case Management Conference and
3 Briefing Schedule for Defendants' Motion to Dismiss. I hereby attest that Bahram Seyedin-Noor
4 and Donald J. Enright have concurred in this filing.

5
6 Dated: June 10, 2008

WILSON SONSINI GOODRICH & ROSATI
Professional Corporation

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8 By: /s/ BRYAN KETROSER
BRYAN KETROSER

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10 Attorneys for Defendants
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